

# **EXHIBIT 3**



January 8, 2015

**VIA EMAIL**

Bryan F. Aylstock  
Aylstock, Witkin, Kreis and Overholtz, PLC  
17 E. Main Street, Suite 200  
Pensacola, FL 32563

Re: Ethicon, Inc. MDL No. 2327

Dear Bryan:

This is by way of follow-up to our discussions and discovery regarding custodial files that have not been located.

As you are aware, several months ago, the third party vendor that has been retaining data from Ethicon sales representatives' hard drives (C3i) identified data from a few hard drives that it had not previously located, despite best efforts to locate them earlier. Responsive documents from those hard drives were produced. Since that time we have been working with C3i to ensure that there are not any other data from hard drives that they did not previously locate. We understand that they have located a small number of additional hard drives, most of which we believe are for sales representatives identified in connection with cases that are no longer being pursued as MDL bellwethers, or are otherwise not relevant to the MDL. In addition, some of the hard drives located are believed to be corrupt or otherwise damaged, therefore they may not contain any usable data. We are currently working with C3i to obtain, process, and review any usable data and will produce responsive documents, if any, from this data as soon as we reasonably can, which we expect to be sometime in the next thirty days.

We have also learned that C3i experienced both a technical and human error that may have resulted in the inadvertent deletion of some hard drives of sales representatives that separated over the last year. We do not yet know the entire scope of this issue, but our preliminary understanding is that there may be only one or two pelvic mesh sales representatives affected.

We want to let you know these facts in the spirit of transparency in which we have addressed record retention issues and will provide additional information as we obtain it. We also want to let you know that we take this issue very seriously and have been working closely with C3i to address this issue as quickly as possible.

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**BUTLER SNOW LLP**

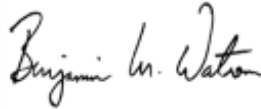
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On a separate note, this is to let you know that Ethicon recently located a hard drive that it had not previously located that includes files pertaining to Kim Hunsicker. We have expedited the processing and review of these materials and expect to be able to produce them in the next several days.

If you wish to discuss any of these issues, please let me know and I will be happy to set up a call in an effort to address any concerns you may have.

Sincerely,

BUTLER SNOW LLP

A handwritten signature in cursive script that reads "Benjamin M. Watson".

Benjamin M. Watson

BMW:fsw  
cc: Tom Cartmell  
Renee Baggett

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